

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

FILED  
MAR 10 2006

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CLERK OF COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

No. CR 05-1849 JH

DANA JARVIS, et al.,

Defendants.

**ADDENDUM TO DEFENDANTS' UNOPPOSED JOINT MOTION  
TO CONTINUE THE DEADLINE  
TO SUBMIT PRE-TRIAL MOTIONS**

COMES NOW the Defendants Dana Jarvis, Mary Cannant, Barbara Hanna, Ayla Jarvis, Mike Hannah, Cathy Fitzgerald, Geno Berthod, Sam Jones, Adrian Sanford, Ralph Greene, George Ripley, Russell Trujillo, and Matthew Hottan, through counsel below signed, and hereby submit this addendum to Defendants' Unopposed Joint Motion to Continue the Deadline to Submit Pre-Trial Motions filed March 3, 2006 (hereinafter "Motion") to clarify paragraph #1 of the Motion.

Paragraph #1 of the Motion stated as follows:

1. Despite a discovery deadline of November 18, 2005, approximately 8000 pages of additional discovery was produced by the Government on or about January 12, 2006, approximately 8 weeks after the discovery deadline had passed. The Defendants have forwarded this additional discovery to the database expert appointed by the Court to assist with the voluminous discovery in this case. The additional discovery has been incorporated into the discovery database and is currently being reviewed by defendants' counsel. The March 6, 2006, deadline for pre-trial motions was set on the assumption that all discovery would be produced by November 18, 2005.

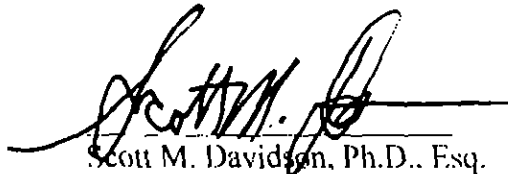
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Although the statement of the number of pages approximated in this paragraph (8000) is correct, and the statement of the date on which this additional discovery was produced (January 12, 2006) is correct, the paragraph may be construed to suggest that the Defendants were asserting that the Government has violated this Court's order regarding discovery. Defendants did not intend to convey this impression, and hereby submit this addendum to the Motion to clarify that this paragraph should not be construed to suggest that the Defendants were asserting that the Government's production of discovery materials on January 12, 2006, was in violation of the Court's discovery order.

Although Defendants expected to receive some additional discovery after November 18, 2005, they did not expect to receive approximately 8000 additional pages of documents, which substantially increased the total volume of discovery received to date. Defendants brought this to the Court's attention in the Motion, not to suggest that the Government had violated any Court order, but to note that the earlier schedule of deadlines, including for pre-trial motions, was based on expectations that discovery would be substantially complete by November 18, 2005. Although the paragraph's final sentence is technically incorrect insofar as additional discovery after November 18, 2005, was anticipated, the substantial volume of additional discovery materials was not anticipated by the Defendants. The receipt of substantial additional discovery materials in mid-January has resulted in delay in processing discovery materials and provides further reason for extending the deadline for motions. The modification of paragraph #1 does not alter the substantive grounds for the relief requested in the Motion.

WHEREFORE, for this reason, the Defendants hereby submit this addendum to the Motion to modify paragraph #1 of the Motion as discussed above.

Respectfully Submitted.

A handwritten signature in black ink, appearing to read "Scott M. Davidson", is written over a horizontal line.

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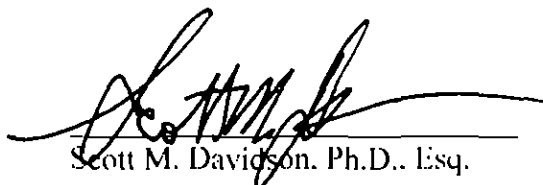
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**CERTIFICATE OF SERVICE**

I hereby certify that on this 10<sup>th</sup> day of March, 2006, I served a true and correct copy of this Defendant's Unopposed Joint Motion to Continue the Deadline to Submit Pre-Trial Motions by U.S. mail, postage prepaid, on counsel for the United States at the address listed below:

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